

A FEW
REMARKS
ON THE AFFAIRS OF THE
HOUSE OF INDUSTRY,
AND ON THE
CONDUCT
OF SOME OF THE
PRESENT ACTING GOVERNORS:
IN A
LETTER

TO
HENRY ALEXANDER, ESQ.

CHAIRMAN OF THE COMMITTEE OF THE HOUSE
OF COMMONS, WHICH SAT TO ENQUIRE
INTO THE MANAGEMENT OF
THAT INSTITUTION.

BY HENRY KENNEDY, M. D.

—D U B L I N :—

PRINTED BY J. MOORE, 45, COLLEGE-GREEN.

1799.



A LETTER, &c.

NOT having understood to what specific point the committee, which related to the House of Industry, and of which you were chairman, tended; excepting what appeared from the evidence laid before you, I am of course limited to a few observations on the nature and credit of that evidence, so far as it regarded the past conduct of the old governors, and as it is likely to affect the future management of that institution.

And first, Sir, it is a fair point of consideration, whether the enquiry made before the committee could, in strictness of language or propriety, be termed, as it was by the counsel for the present governors, a prosecution: For who commenced the attack and provoked the enquiry? Not surely the old governors, and least of all the tried friends of the institution. Satisfied with having performed their duty, while having the power of exercising it, those required no vindication of their conduct, beyond that self-approbation, which no inquisitorial power could take away; but when they found their conduct impeached before the public tribunal, when in a serious report of the management and expenditure of the funds appropriated to the House of Industry, during their administration, the acting governors of the House of Industry founded their pretensions to œconomy, capacity, and activity, chiefly from an artful comparison of recent œconomy with former profusion, of new-born zeal with former inactivity, it became a necessary duty to throw off the odium thus applied to their conduct, as friends to the institution; by simply proving, that tho' governors at the period, when such profusion and inactivity prevailed, they were neither principals nor accessories in the charge.

Here then was the precise period at which the enquiry before the committee commenced; and on this point of self-defence, have the old friends of the institution rested. In-

stead of prosecuting, their wish was solely to exculpate themselves. In the place of making a charge, they professed by the present enquiry only to correct an unfair representation. The gentleman therefore, in calling the enquiry before the committee, a prosecution, was impelled by professional habit, rather than strict propriety of term ; but a lawyer can in no instance conceal himself.

In their public report therefore, the acting governors would have acted justly, if, in comparing their direct retrenchments with the prodigality under the old regime, they had discriminated generally the friends of œconomy, from the prodigal jobbers of those periods. Will it be alledged, that to account for that prodigality, formed no part of their case ? Their own record will testify against them, and how have they attempted it ? By referring all the old abuses, to the too great number of former governors : thus in one common mass of sound and unsound, efficient and inactive, corrupted and corruptible materials, did they attach undistinguishing criminality ; while desirous by converse reasoning to intimate, that in their own persons resided and remained all that was valuable for capacity, diligence and integrity, of the heterogeneous compound. It could not therefore, be matter of surprize, to find the real friends of œconomy, anxious to remove a charge, which directly involved their characters. A stroke may be poignant, more from the sensibility it is offered to, than from its force ; and this accusation being neither forcible from its truth or point, might yet make an impression, where they should be concerned to have any made.

An imputation of this kind could only be removed before that body, or a committee of that body, to which the acting governors had submitted their account of the House of Industry, and the distribution of its funds, as granted by Parliament. During this enquiry, a few facts came to light, as unsought for by those governors, as they were unable to controvert. It was clearly proved, that the prodigal expenditure of the funds of the institution, attributed by them to former governors, previous to their appointment, arose in a great degree from the conduct of a majority of the present acting governors themselves, and of a party of other governors, with whom they uniformly concurred : particularly in keeping officers in their places, who had grossly and wantonly perverted the funds to improper purposes, and who had wasted or embezzled provisions and other articles committed to their care : and further, that a majority of the acting governors, had constantly resisted every attempt, and mode of retrenchment,

retrenchment, proposed by the friends of the institution. This opposition to æconomy it appeared, was owing to the interference of the corporation of this city, who, when any scheme of good management appeared, required only a hint from some of the present acting governors, to attend the board, and stamp a *noli prosequi* on the proceedings. Among those occasional attendants was a class of beings, who exhibited nothing human, or resembling human, but a clumsy external form. As a naturalist, I ought to place them among those animals, who exist without brains ; or if higher, I could only conceive them qualified to fill up a void : to form a link of that chain, which intervenes, and partly connects, rational life with mere animated matter ; entities, that live, move, and have their being, supported by, and supporting, a groveling carnivorous existence, and of which a solitary hope remains, that they are in a way of turning cannibals, and terminating their wretched life, by worrying each other.

To you, sir, this language is not unintelligible ; to you, who attended the enquiry with such assiduity, it cannot be unknown or unbelieved, that almost all the abuses of the old constitution, originated and continued with the *ex officio* governors ; nor was the fact resisted. The chief, nay, only solicitude, of the acting governors before the committee, extended to the care of their personal reputation, for which, in the sincerity of my heart, I wish they had been more successful. To the defence of himself and his coadjutors, against what the evidence of several persons, and the examination of the gentlemen of the committee had disclosed, the learned counsel was fully equal. His language was correct, his zeal energetic, yet not “ o’er-stepping the modesty of nature,” his elocution chaste and polished.* Yet what avail-eth the best turned periods of oratory, unsupported by what alone can give a lasting impression ? Facts had been previously laid before the committee, in which the characters of a majority of the acting governors, whose cause the learned counsel officially pleaded, were directly involved ; as contributing

* But I in the same breath maintain, that the effect of this forcible appeal, (still alluding to my own feelings) arose from his speaking as he felt, and as personally interested. And such would generally be the effect, were the professors of law obliged to have some interest in the determination of their client’s causes : instead of meeting in cumbrous dress and unfelt zeal, like a set of dramatists, to mouth their parts, which for next days fun and freshening fees, are again re-cast. Nor would offended justice, through me, have cause to complain of the apathy of lawyers, and of the interference of rank and judicial authority, which gave success to a robber, and screened him from the consequences of indicted perjury.

contributing by their votes and influence, to the profusion and wanton expenditure, charged to the old corporation. This was strongly impressed on the minds of some of the gentlemen examined before the committee, and who did not scruple to declare their opinion, that the present acting governors of the House of Industry, were not fit persons to manage the funds granted to that institution. Was this charged to incapacity? No—that could not be matter of accusation: weakness can have no moral sense, as it requires a portion of intellect to give existence and duration to moral principles; and hence a weakman cannot be an honest man. But as ability, and even talents, were allowed to the present acting governors, their conduct became the more criminal, (using that word in an immoral, not a legal sense) and so extraordinary, that I do not wonder at the committee taking such pains to search for the motives of it, which after all must be left to them to determine from the facts.

To rebut this unqualified testimony against their characters, two of the members of the former corporation were produced. The first (I mean in point of time) alledged he was [an old governor, and that he preserved a neutrality of character, amidst the contending parties of the day; but for several years, from 1789, had ceased to attend, or rarely attended, at the board. The real motive for thus shrinking from his duty, as a member of the corporation, is only known to himself; but why a witness should be produced by the learned pleader, to prove the good conduct of the present governors, during periods, when that witness, from his own admission, could be no witness of their conduct, passeth my understanding: Hence it was matter of regret, to find the well-written statement of this witness, wholly irrelevant, as to the chief point of the case. Respecting the second witness brought forward; I should make an ungracious return, for the very great entertainment his serio-comic evidence afforded, if I did not let it pass without comment, and especially as any such attempt would only weaken the impression it made. In short, the testimony of these two reverend characters, tho' delivered with affected *naïveté*, might have been withheld, without injury to the cause they wished to support. Unless their private and avowed partiality must be considered as equal to a vindication of the public measures and conduct of the present governors; but nothing is so apt to bias the mind, as too strong partiality; by it men are made to appear, like objects thro' a refracted medium, higher than their true place, which it is the province of reason alone to ascertain.

It

It is demonstrable from the evidence laid before the committee, of which more could be adduced, if necessary, that a great source of prodigality and of abuses, under the former corporation, lay with the Aldermen, and some other *ex officio* governors, (that is, persons appointed governors, from their office in the city, in the acts of parliament first passed, for regulating the corporation of the House of Industry,) whose attendance and exertion were directed to maintain officers in their places, that abused their trust, and to oppose, (not by argument, for that was not expected from them, but by their numbers) every proposition which regarded the true interests of the corporation. Of this, the records of the corporation, afford many, and indubitable proofs; but other instances, tho' not so recorded, exist, and of those I shall beg leave to state one, which may serve as illustration and proof.

In the year 1793 or 94, the commissioners of accounts required a communication from the corporation of the House of Industry, to furnish them with some authentic documents concerning the state and management of the institution. To this office I was appointed, and in a conference with them, I went at some length into the detail, not only of its then present state, but also into the probable means of diminishing the expenditure of the corporation, the greatness of which the commissioners strongly and justly reprehended. Being requested to give them in writing, the chief points they enquired into, I was surprized to find a good part of what I had written, literally copied in the next public report of the commissioners. In what, however, looked to retrenchment, I had fortunately not engaged for its being carried into effect. For as in one instance, I did not scruple to declare, that the expences of the infirmary, attached to the House of Industry, were most extravagant, far beyond those of any other similar institution, and ought to be diminished; yet as often afterwards as the subject was proposed, even for enquiry, the surgeons and their associates, resisted. In vain was it urged, that by no change should the wants of the sick poor be abridged; in vain was it offered, as a subject matter of proof, that by a little attention to œconomy in that department, their necessary comforts would be encreased; or, better still, that the same funds would provide for an increased number of sick, and by so much, lessen the *quantum* of human misery. All was urged in vain. In another instance it was found, that a very useless, tho' very expensive deviation, from the established dietary of the House and Infirmary, had crept
in,

in, which the friends of order and good management wished to correct ; but after proceeding some length, the other surgeons, and their worthy compeers from the city, united with the senior surgeon, one of the present acting governors, (who originally assisted in framing the dietary, but who now joined the rest) in resisting an adherence to his own act ; thus unblushingly perverting the funds and perpetuating the abuses of the corporation, in which I believe it will be found, some other of the acting governors concurred. Ask you, Sir, for the motives of such conduct ? Again, and again, must I answer, as I did when you put those questions to me in the committee. Alas ! do I repeat, motives are causes, and I can see nothing but effects ; but there may be exceptions, where there is little intricacy, and perhaps this might be one. With respect to the municipal governors, they knew so much of the last subject of controversy, as that the word dietary, was synonymous with a list of eatables, and here no more was necessary. Of the surgeons I knew too little, as private men, to be able to assign motives for their public conduct ; unless they are of those, who derive emoluments from the Infirmary, as a school of instruction for young surgeons ; which, with reasonable limitations, none would desire to arraign ; and thus perhaps consider it as a species of property, which they would not allow any body of men to infringe on. One of the surgeons is said to raise considerable supplies ; and what is better, he does it by proxy, and makes it a snug sinecure, as he is often obliged to attend a distant military duty. This is he, whom I proved at the former board, and asserted before the committee, to have vented a gross falsehood respecting my conduct.

But it will be said, that the present governors have made the *amende honorable*, in adopting generally a retrenchment, particularly in the infirmary, where it was most wanted ; and also in making the labor of the poor more productive. To this it may be fairly answered, that the moral rule, of sudden and late repentance, after an ill-spent life, being dangerous to rely on, strictly applies here ; and why ? Because it often arises from some impulse of hope or fear, rather than a conviction of past errors. Again, confession is a necessary part of repentance, and does it exist here ? I entreat the committee to have full proof of the sincerity of these penitents, before they obtain a plenary absolution. That this, or something like this, is necessary, appears from another charge, attached to the characters of some of the governors, of contributing to involve the old corporation in deep and complicated

complicated expence, that the necessity of a change might occur, of which, by the aid of a well-secured interest, they would not fail to profit; indeed some of them have gone near as far, by admitting that they would not be directed by the old board. If such was their scheme, it has not proved an abortive one; and they have besides fairly outwitted the friends of the corporation, who certainly did not conceive such deep and systematic corruption. I am sure you, sir, will join me in the hope, that such a malign principle (if it had existence) will never pass the walls in which it was fostered.

The other point, so much insisted on, of the more productive labour of the poor, compared with that of former years, admits an easy solution. Conceiving the article of labor as intended only for those paupers who were proper objects of the institution, who could not get work, or who were too indolent and lazy to work, the former governors rather wished to learn such persons habits of industry, than to reap or receive much return from their labor: and in this they strictly adhered to the laws, which founded and regulated the corporation; wherein the "punishing vagabonds and sturdy beggars" is expressly pointed out and worded; and where also a house is directed to be built, "for the reception of helpless poor, and for the keeping in restraint, sturdy beggars and vagabonds." To enlarge this scale, and to encrease the profits of labour, no more was necessary, than to open the doors and admit persons to labour, other than the act enjoins; the sure effect of which will be to encrease the quantity and product of labor, but as surely does it violate the first principle and laws of the corporation. That this is the fact, will further appear from the master of the works (as the superintendant of the labor is titled) having a per centage on the labor, under the old governors as under the new. Why then, do I ask, has he not, with a similar incentive to encrease his own profits, made the product of labor, in those two periods, more nearly approximate? Clearly because he was at first restrained to the labor of such as were proper objects, and those only; in the latter case, he is permitted take in, perhaps all he chooses to select, by which he changes a receptacle for sturdy beggars, into a manufactory, and instead of hundreds, may produce thousands, or any other indefinite sum. Even the number of children is no apology for so violent a change. But many of those the acting governors inform us, are instructed—what? unite education with beggary? Education cannot be considered as a first, or a necessary act; it seldom, as experience justifies, leads to good conduct; it is habits of industry, which form the best foundation of morals. Let me be understood, as only speaking here of the poor, and their small acquirements; for to those, an attention to first wants

has clearly a superior call. The same observation I would apply to a number of our parochial, and other establishments, for children. The children, therefore, of the House of Industry, beyond a certain age, are not objects of such an institution; nay, become corrupted in it; and were so considered in the law which obliged them to be sent to the Foundling Hospital; and however meritorious it appears to encourage them to labor, by gratuities, I know no solid reason why a *modus* should be established there, different from that in more private walks of life, where regular premiums to apprentices, are not in use. Children, as well as men, are more securely impelled by the fear of punishment, than the hope of reward; and this, sir, you well know to be a chief principle in legislation. In short, it must be a vain attempt, to recover the lazy and profligate by rewards. I remember seeing, in the best regulated police on the continent, a fellow, who, in his own defence, was obliged to work several hours in the day, to keep himself out of water forced into his cell; and yet our new acting governors, would be at the expence, not only of feeding and clothing such a profligate, (whose crime, according to himself, was idleness) but in pursuing their own system, they would moreover give him a portion of his earnings, if he condescended to amuse himself at labor; but is it thus, sir, they "keep in restraint sturdy vagabonds," as the act enjoins? To my understanding it appears, if the seven governors have no power vested in them by the act which appointed them, beyond what the former governors possessed, that they are not justified by law, in this boasted part of their new arrangement.

But passing these and other observations, which offer to my notice, permit me to say a few words more, on what was the object of this address.

What I now propose, regards the future management of the House of Industry, and the means of effecting it in the best possible state: and it gave me true pleasure to find your good sense and humanity solicitous to obtain information on this point, during the late investigation. I will not here detain you, sir, with an opinion, whether the Infirmary be on too large a scale for the institution; tho' a point on which I formerly had little doubt. The interests of the surgeons, in adapting it to the instruction of young men in that art, is clearly but a secondary consideration: the primary is the relief of the sick poor;* but the worst circumstance of this department

* By the way, how does it happen that a statement of the Infirmary, so seldom forms a part of the public report of the acting governors? Why do they not inform the public, whether a diminution of its great expensiture, has lessened that mortality, which was so often a matter of regret and surprize to the former governors? Other institutions are not ashamed to
boast

department was, making the surgeons governors; which was effected by a deep designing artfman, of consummate dexterity, in bringing together a body of city members of the board, whenever he chose, and that on this occasion, gave to their election a sufficient majority. As officers acting under, and subordinate to, the corporation, it might with equal propriety have elected the secretary and gate-keepers, governors; yet once elected, and being of themselves sufficient to constitute a board, they had a power of voting at any time the funds of the corporation; which purpose they often attended for, by perpetuating the most prodigal abuses, and by resisting every project of reformation. To the physicians of the Infirmary, (one only excepted, whose ashes and whose memory I wish not to disturb) no censure of this nature has ever attached; and I cannot avoid observing the unreasonable inequality here between the physicians and surgeons. The surgeons have great emoluments, (one before alluded to receives, I am assured, several hundreds a-year by this Infirmary) little labor, and even that little diffused and divided among a number of young assistants; the physicians, (as I experimentally know, having at the request of the corporation, had the care of the medical department for a period of some weeks, and until the vacancy of a physician's place was filled up) have a vastly greater share of laborious and more dangerous duty, without the comfortable ease of acting by proxy, or from whence to derive emoluments; hence, tho' reckoning myself a rigid œconomist, I conceive those last-named-practitioners to be exclusively and justly entitled to salaries. Might not the gratuities given to the manufacturers, and even more of the produce of their labor, instead of being encouraged to be spent in sloop-shops, kept for the purpose, be better directed, in making some return to the diligence and skill of a physician, whose care they themselves must occasionally require, and as is practiced in the army and navy?

But no physician or surgeon, whilst attached, or belonging to the corporation, ought to be governors. In the Dublin General Dispensary, to which I belong, no physician or surgeon is a member of the committee. And by another sweeping clause, ought the board of Aldermen, Sheriffs, Sheriff's Peers, and other *ex officio* governors, (excepting the representatives for the city and county, the Lord Mayor, and a few state officers, such as would occasionally take an active part) to be struck off the list of governors, and made incapable of being again re-elected. In like manner I propose, that

boast of reforms, which most directly abridge the number of human sufferings. In the Hotel Dieu, at Paris, 250 patients had as many beds, and the mortality was commonly 13 every day; but after some alterations took place, not more than two died in six days.

Decade Philosophique et Littéraire, cinquième année, p. 236.

that governors shall become such, by the subscription, either annual or for life, of specified sums ; and also by election, in which, as before, two-thirds should concur to make it valid. The number of governors ought also to be limited, suppose to fifty or fifty-two, as suggested by my ingenious friend Mr. Barnes, and a regular attendance made a necessary qualification for voting ; and this not by any bye-law, but as part of a positive statute, and therefore more difficult to be evaded or repealed. Should these few regulations be adopted, and some minor points (unnecessary to be mentioned here) left for future determination, I do not hesitate to affirm (if in an age of rapid and unexpected events, any thing future can be affirmed) that the affairs of the corporation will be as safely and as well conducted, as it has been by the latest and most improved management : Nor is mine a project founded on conjecture, but on the experience of several years observation. You will also perceive, that a controlling power, (which your penetration saw early in the investigation to be a great want in the new establishment) exists here in the number of governors, as forming an equal, operating number of counteracting and controlling causes, and a rotation of power, the greatest check on its abuse. It is obviously less difficult to corrupt the integrity of seven than of fifty, as being sooner brought to coalesce and act together, and who, if once induced to accommodate figures, in pounds, shillings, and pence, to present and particular cases, may, with equal facility, be led to exhibit fictitious lists of persons ; yet truly, I do not attach corruption to the present official governors : however I might fear a predisposition to receive the contagious principle. A running spring, heretofore muddy and impure, awhile is fair, and grateful to the sense ; but anon the torrent comes—hills of golden sand, instead of purifying, lose their cohesion and encrease its force—still the swell augments—the sound, the corruptible and corrupted, mix undistinguished in the loathsome current.

But, sir, it is full time to conclude ; yet not without offering my acknowledgments for a hearing, if, indeed, you have had the patience to come so near the close. You certainly had not reason, when you required my opinion relative to the House of Industry, in writing, (while investigating the affairs of that institution, by a committee of the House of Commons, of which you were chairman,) to think that I should have trespassed so much on your time and candor ; nor had I an idea of it then, or for some time after. I am further aware, that the subject is not generally interesting—but I felt the call of duty, and obeyed.

I am, SIR,

With great personal respect,

Your obedient Servant,

HENRY KENNEDY.

March 10, }
1799. }

